



16623 U.S. PTO

022004

PTO/SB/05 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office. U.S. DEPARTMENT OF COMMERCE

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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	CARR-P002-US (9734661/)
First Inventor	D. Carl CHRISTENSEN et al
Title	SHIPPING PACKAGE SYSTEM FOR FRAGILE PANELS
Express Mail Label No.	EF 227 535 319 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 27]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 13]
5. Oath or Declaration [Total Sheets 3]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Attorney (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Request for Interference Under 37 CFR Section 1.604

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Prior application information:

Examiner

Art Unit:

For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number: OR ☒ Correspondence address below

Name	Keith J. SWEDO				
Address	Baker & Daniels 300 North Meridian Street, Suite 2700				
City	Indianapolis	State	IN	Zip Code	46204
Country	US	Telephone	317-237-1469	Fax	317-237-1000

Name (Print/Type)	Keith J. SWEDO	Registration No. (Attorney/Agent)	43,176
Signature	<i>Keith J. Swedo</i>	Date	February 20, 2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 755.00)**Complete if Known**

Application Number	
Filing Date	February 20, 2004
First Named Inventor	D. Carl CHRISTENSEN et al.
Examiner Name	
Art Unit	
Attorney Docket No.	CARR-P002-US (973466/1)

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number	02-0390
Deposit Account Name	Baker & Daniels

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	385.00
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 385.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
44	-20** = 22	9	198
Independent Claims	7	-3** = 4	172
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 370.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**SUBMITTED BY**

Name (Print/Type)	Keith J. SWEDO	Registration No. (Attorney/Agent)	43,176	Telephone	317-237-1469
Signature	<i>Keith J. Swedo</i>	Date	February 20, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 40.00

Complete if Known

Application Number	
Filing Date	February 20, 2004
First Named Inventor	D. Carl CHRISTENSEN et al.
Examiner Name	
Art Unit	
Attorney Docket No.	CARR-P002-US (973466/1)

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

02-0390

Baker & Daniels

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

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1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims -20** = X =
Independent Claims -3** = X =
Multiple Dependent =

Large Entity Fee Code	Small Entity Fee Code	Fee Description
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SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

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1453 1,330	2453 665	Petition to revive - unintentional	
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1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40.00

SUBMITTED BY

Name (Print/Type)	Keith J. SWEDO	Registration No. (Attorney/Agent)	43,176	Telephone	317-237-1469
Signature	<i>Keith J. Swedo</i>	Date	February 20, 2004		

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UTILITY APPLICATION EXPRESS MAIL CERTIFICATE

Date: February 20, 2004

Our Ref.: CARR-P002-US (973466/1)

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RE: New U.S. Utility Patent Application
Inventors: D. Carl CHRISTENSEN et al.
Title: SHIPPING PACKAGE SYSTEM FOR FRAGILE PANELS
Our Ref.: CARR-P002-US (973466/1)

Sir:

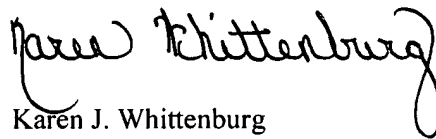
The following materials are being submitted herewith via Express Mail on February 20, 2004 to the Commissioner for Patents at the address indicated above.

- ✓ Utility Patent Application Transmittal
- ✓ Fee Transmittal for FY 2004 (in duplicate)
- ✓ Utility Patent Application (27 pages)
- ✓ Drawings (13 sheets)
- ✓ Check No. 341024 in the amount of \$755.00
- ✓ Request for Interference Under 37 C.F.R. §1.604
- ✓ Declaration and Power of Attorney
- ✓ Copy of Assignment recordation documents
- ✓ PTO return postcard

Upon receipt of these materials, please date-stamp the enclosed postcard and return it to the undersigned.

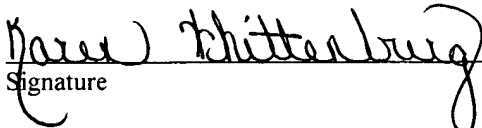
Sincerely,

BAKER & DANIELS



Karen J. Whittenburg
Paralegal

Enclosures

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.10)	
Express Mail Label Number: <u>EF 227 535 319 US</u>	
I hereby certify that the papers and fee indicated above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date and to the address indicated above.	
 Signature	
<u>February 20, 2004</u> Date of Deposit	<u>Karen J. Whittenburg, Paralegal</u> Printed Name of Person Mailing Paper and/or Fee

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	Atty. Ref.: CARR-P002-US (973466/1)
D. Carl CHRISTENSEN et al.)	
)	
Serial No.: Not Yet Assigned)	Group Art Unit: Not Yet Assigned
)	
Filed: February 20, 2004)	
)	
Title: SHIPPING PACKAGE SYSTEM FOR)	
FRAGILE PANELS)	February 20, 2004

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

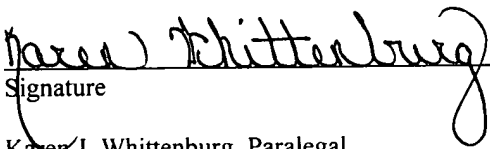
REQUEST FOR INTERFERENCE UNDER 37 C.F.R. §1.604

Sir:

Applicants hereby request that an interference be declared with an application entitled "SHIPPING PACKAGE SYSTEM FOR FRAGILE PANELS", filed September 2, 2003, by Arch W. Carroll, Jr.

1. Applicants suggest twenty-five (25) proposed counts corresponding to claims 1-3, 5-32, and 34-44 of the present application with groupings as shown in the chart on the following page.

2. Applicants identify the application entitled "SHIPPING PACKAGE SYSTEM FOR FRAGILE PANELS", filed September 2, 2003, by Arch W. Carroll, Jr. as the "other

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.10)	
Express Mail Label Number: <u>EF 227 535 319 US</u>	
I hereby certify that the papers and fee indicated above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date and to the address indicated above.	
<u>February 20, 2004</u> Date of Deposit	 Signature <u>Karen J. Whittenburg, Paralegal</u> Printed Name of Person Mailing Paper and/or Fee

REQUEST FOR INTERFERENCE UNDER 37 C.F.R. §1.604

Page 1 of 3

invention" of 37 C.F.R. §1.604(a)(2). Applicants also identify claims 1-3, 5-32, and 34-44 of the application by Arch W. Carroll, Jr. as corresponding to the proposed counts with the same groupings as with the claims of the present application, as shown in the chart below.

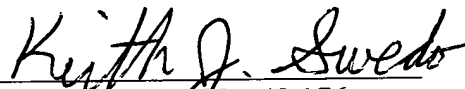
<u>Count</u>	<u>Corresponding Claims in both Applications</u>
1	11, 19, 20, 39, 40
2	23
3	24
4	22
5	25
6	26
7	27
8	28
9	29
10	30-32
11	1, 7-10, 12, 21
12	13
13	14-18
14	2
15	3
16	5
17	6
18	34, 35
19	36
20	37
21	38
22	41
23	42
24	43
25	44

3. An interference should be declared because the disclosure and claims 1-3, 5-32, and 34-44 of the two applications are believed to be identical. Applicants submit that Arch W. Carroll, Jr. did not invent the subject matter of claims 1-3, 5-32, and 34-44 of the application filed by Mr. Carroll on September 2, 2003. Rather, Mr. Carroll derived the subject matter of claims 1-3, 5-32, and 34-44 from the present Applicants during Mr. Carroll's employment at

Carroll Container Corporation, the assignee of the present application. Mr. Carroll is no longer employed at Carroll Container Corporation.

Applicants hereby authorize the Commissioner to charge any associated fees to Baker & Daniels's Deposit Account No. 02-0390.

Respectfully submitted,



Keith J. Swedo, Reg. No. 43,176

Baker & Daniels

300 North Meridian Street, Suite 2700

Indianapolis, IN 46204

Phone: (317) 237-1469

Fax: (317) 237-1000

E-mail: keith.swedo@bakerd.com

KJS:kjw